

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

JACINTO GUZMAN SANTOS, JR.,  
Institutional ID No. 5762836

Plaintiff,

v.

No. 5:19-CV-00165-H

CITY OF LUBBOCK, *et al.*,

Defendants.

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation that this Court dismiss with prejudice all of Plaintiff's claims, except for his claims of excessive force and illegal search and seizure against Defendants Michael Welty and Christopher Mondragon. The United States Magistrate Judge recommended that Defendants Welty and Mondragon be ordered to answer or otherwise plead to those claims. Plaintiff filed objections, and the District Court has made a de novo review of the relevant portions of the findings and recommendations. The objections are overruled, and the Court accepts and adopts the findings, conclusions, and recommendation of the United States Magistrate Judge.

The Court therefore orders:

1. Plaintiff's claims that Defendants City of Lubbock, Michael Welty, other unnamed officers, and Chief Gregg Stevens conspired to violate his rights, and his claims that Defendant Michael Welty falsified government documents, are dismissed with prejudice for failure to state a claim. There is no just reason for delay in entering a final

judgment and final judgment will be entered as to these claims and Defendants pursuant to Federal Rule of Civil Procedure 54(b).

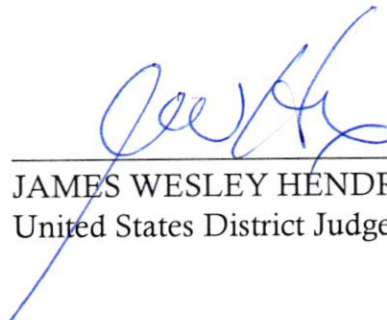
2. The Court will enter a separate order directing service by the United States Marshal and for Defendants Michael Welty and Christopher Mondragon to answer or otherwise plead to Plaintiff's claims of excessive force and illegal search and seizure.

3. The Clerk is directed to add Christopher Mondragon as a defendant on the docket in this case.

4. The caption of this case is changed to *Jacinto Guzman Santos, Jr. v. Michael Welty, et al.*, to reflect that the only remaining Defendants in this case are Michael Welty and Christopher Mondragon.

So ordered.

Dated January <sup>22</sup>\_\_\_\_, 2021.



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JAMES WESLEY HENDRIX  
United States District Judge